

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MICHAEL VANDERGRIFF

CRIMINAL ACTION
NOS. 13-57-2, 15-157-3

PAPPERT, J.

July 13, 2022

ORDER

AND NOW, this 13th day of July 2022, upon consideration of Michael Vandergriff's *pro se* Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Dkt. 13-57-2, ECF 107 & Dkt. 15-157-3, ECF 343), the Government's Response (Dkt. 13-57-2, ECF 111 & Dkt. 15-157-3, ECF 351) and Vandergriff's Reply (Dkt. 13-57-2, ECF 115 & Dkt. 15-157-3, ECF 360), it is hereby **ORDERED**:

1. Vandergriff's § 2255 Petition is **GRANTED in part and DENIED in part**. The Petition is denied as to claims one through seven and granted as to claim eight. With respect to the latter, the Court vacates Vandergriff's conviction and sentence on count three in the case docketed at 13-57-2.
2. A certificate of appealability **SHALL NOT** issue. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.